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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/856,302	08/17/2001	Hennie Wesseling	BO44440ACW/S	6564

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EXAMINER
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LABAZE, EDWYN

ART UNIT	PAPER NUMBER
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2876

DATE MAILED: 04/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/856,302

Applicant(s)

WESSELING ET AL.

Examiner

EDWYN LABAZE

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 1/05/2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 28-46, 48 and 51-53 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 28-46, 48 and 51-53 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>12192003, 1132004</u>   | 6) <input type="checkbox"/> Other: _____                                    |

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### **DETAILED ACTION**

1. Receipt is acknowledged of amendments filed on 1/05/2004.
2. Receipt is acknowledged of IDS filed on 12/19/2003 and 1/13/2004.
3. Claims 28-46, 48, and 51-53 are presented for examination.

### ***Priority***

4. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 28-46, and 51-53 are rejected under 35 U.S.C. 102(b) as being anticipated by Windel et al. (U.S. 5,953,426).

Re claims 1 and 37: Windel et al. discloses method and arrangement for generating and checking a security imprint, which includes generating and storing a set of unique bit strings [or chains of numbers] in a first memory 5 in a central office [herein disclosed as a central data station] connected to a plurality of terminals (as shown in fig. # 2 of Windel et al.; col.12, lines 1-67; col.13, lines 1+); making available one or more of the unique bit strings [herein defined in fig. # 2 of Windel et al. as a franking mark FM.sub.1 to M] of the terminals [herein disclosed a

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post office] (col.12, lines 28+; col.15, lines 62-67; col.16, lines 1+); establishing an identification code (col.14, lines 17+); transmitting data including a copy of said unique bit in combination with the identification code to the central office, and storing said data in a second memory II (col.15, lines 1-25); generating a franking mark which at least comprises information relating to one said unique strings and the identification code (col.15, lines 10+), and securely printing the franking mark [as shown in figs. # 3 A-E of Windel et al.] on the postal article (col.15, lines 30+).

Re claims 29 and 38: Windel et al. teaches system and method, further comprising means of protecting the unique bit string and the identification code with one of the first message authentication code or MAC by encoding (col.18, lines 20+; col.28, lines 41+; col.47, lines 12+); storing the unique bit string and the identification code by a terminal on an information carrier with memory (col.19, lines 4+); and performing step f after reading of the information by a printing device (col.20, lines 20+).

Re claims 30 and 39: Windel et al. discloses a system and method, wherein in addition to the unique bit string and the identification code, storing a terminal [either the central data station or a branch] identification code, protected with one of the aid of the first message authentication code and by encoding, on the information carrier with memory by terminal (col.19, lines 20+).

Re claims 31 and 40: Windel et al. teaches a system and method, wherein after the reading of the information carrier by the printing device, use of the unique bit string for printing a further franking mark on a further postal article is rendered impossible [meaning said franking mark can only be printed once] by the printing device (col.21, lines 40+; col.40, lines 4-46).

Re claim 32, 41: Windel et al. discloses a system and method, wherein after reading the information carrier, it is checked whether the value of a counter on the information carrier lies within predefined limits, and, if this is the case, the value of the counter is adjusted [reset to an initial value] after reading and step f is executed, and if this is not the case, step f is blocked (col.38, lines 1+).

Re claims 33 and 42: Windel et al. teaches a system and method, which includes the use of a computer 26 [as shown in fig. # 4B of Windel et al.; col.24, lines 50+] and a printer 1 (col.11, lines 20+).

Re claims 34 and 44: Windel et al. discloses a system and method, wherein the identification code [with regards to a fourth number on the franking marking] comprises at least one of a user identification code and a printer identification code (col.7, lines 35-67; col.8, lines 1-59).

Re claim 35, 45: Windel et al. teaches a system and method, wherein on the basis of the franking mark calculating a second message [which could be considered as a replied message] authentication code [Windel et al. discloses the message authentication code or MAC as a key-dependent or a one-way function] and printing in encoded format at least one of the second message authentication code and the franking mark (col.18, 10-67; col.19, lines 1-57).

Re claims 36 and 46: Windel et al. discloses a system and method, further comprising steps reading [through a reader 24, 30 as shown in fig. # 4] in franking marks printed on postal articles, storing combinations of identification codes and unique strings [such as KOZ as shown in fig. # 4a] which are present in the read-in franking marks in third memory [through memory

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28 as disclosed in col.24, lines 44+] and comparing [using a comparator 2424] said read-in franking marks data second memory (col.25, lines 1+).

Re claim 43: Windel et al. teaches a system and method, wherein the system remotely the computer together with the provided with means arranged send the unique string, protected by at least one message authentication code and encoding, said computer and to send said data to said central office (col.6, lines 3-55; col.8, lines 2-42; col.21, lines 5-20).

Re claims 51-52: Windel et al. discloses a system and method, wherein the identification code is unique to each one of the terminals so that a point of origin of the postal article is determinable based on the identification code (col.26, lines 36+; col.28, lines 1+; col.29, lines 59+; col.32, lines 54-65).

Re claim 53: windel et al. teaches a system and method, comprising of step of mailing the postal article (col.8, lines 43+).

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 48 is rejected under 35 U.S.C. 103(a) as being unpatentable over Windel et al. (U.S. 5,953,426) in view of Gelfer et al. (U.S. 6,587,843).

Re claim 48: The teachings of Windel et al. have been discussed above. Windel et al. further teaches means of using a standard interface to the input means 25 of security imprint evaluation unit 29 (col.25, lines 5+), and means for compiling the data available for the franking

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mark for the postal article in machine-readable [such as bar code] form (col.7, lines 37+; col.15, lines 15-45).

Windel et al. discloses a system and method, wherein the printing device at least being structured and arranged for receiving data from an information card.

Gelfer et al. discloses method for improving the security of postage meter machines in the transfer of credit, which includes means for receiving data from an information card [herein disclosed as an input security unit a chip card] (col.13, lines 48+; col.35, lines 22+).

In view of Gelfer et al.'s teachings, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to employ into the teachings of Windel et al. a means for receiving data from an information card [such as a chip card] so as to protect stored data. Furthermore, the means of receiving data from an information card/chip card is provides an easier and quicker means for storing, transferring, and downloading stored data form one terminal to another one. Moreover, such modification would have been an obvious extension as taught by Windel et al., therefore an obvious expedient.

### ***Response to Arguments***

9. Applicant's arguments with respect to claims 28-46, 48, and 51-53 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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Windel et al. (U.S. 5,671,146) discloses method for improving the security of postage meter machines.

Bornemann et al. (U.S. 6,199,752) and Guenther et al. (U.S. 6,418,422) [both] teach postage meter machine with a chip card write/read unit and method for operating same.

Ulvr et al. (U.S. 6,415,983) discloses unique identifier bar code on stamps and apparatus and method for monitoring stamp usage with identifier bar codes.

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to EDWYN LABAZE whose telephone number is (571) 272-2395. The examiner can normally be reached on 7:30 AM - 4:00 PM.



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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (571) 272-2398. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

el  
Edwyn Labaze  
Patent Examiner  
Art Unit 2876  
March 24, 2004



**THIEN M. LE  
PRIMARY EXAMINER**